

## **EXHIBIT 3**

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

\* \* \* \* \*

ROCKWELL AUTOMATION, INC.,  
ROCKWELL AUTOMATION TECHNOLOGIES, INC.,

Plaintiffs,

-vs-

Case No. 10-CV-718-WMC

WAGO CORPORATION, and WAGO                      Madison, Wisconsin  
KONTAKTTECHNIK GMBH & CO., KG.,              May 4, 2012  
10:00 a.m.

Defendants.

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STENOGRAPHIC TRANSCRIPT OF TELEPHONIC HEARING  
HELD BEFORE MAGISTRATE JUDGE STEPHEN L. CROCKER,

APPEARANCES:

For the Plaintiff: Chadbourne & Parke  
BY: ATTORNEYS SCOTT BALBER,  
PAUL TANCK and LISA SCHAPIRA  
30 Rockefeller Plaza  
New York, New York 10112

For the Defendant: Whitham Curtis Christofferson & Cook  
BY: ATTORNEY ROBERT COOK  
11491 Sunset Hills Rd., Ste. 340  
Reston, Virginia 20190

Michael Best & Friedrich  
BY: ATTORNEY JOHN SCHELLER  
1 South Pinckney Street, Ste. 700  
Madison, Wisconsin 53703

Lynette Swenson      RMR, CRR, CBC  
Federal Court Reporter  
U.S. District Court    120 N. Henry St., Rm. 520  
Madison, WI 53703    (608) 255-3821

1           THE COURT: Good morning. This is Magistrate  
2 Judge Crocker. I understand I have the attorneys for  
3 the parties in the Rockwell Automation lawsuit against  
4 WCP and WKT. Again, we have a court reporter. Let me  
5 note the case number is 10-CV-718-WMC.

6           And let's get appearances for the record, please.  
7 First on behalf of the plaintiff.

8           MR. BALBER: Good morning, Your Honor. This is  
9 Scott Balber from Chadbourne & Parke. And with me are  
10 my colleagues Paul Tanck and Lisa Schapira.

11          THE COURT: All right. Good morning to all of  
12 you. And who have we got on behalf of the defendants  
13 today?

14          MR. COOK: Bob Cook and John Scheller.

15          THE COURT: Good morning to both of you.  
16 Counsel, let's start by me telling you what's not on the  
17 table today. We are not going to discuss the Motion to  
18 Compel that the defendants filed yesterday, which the  
19 Court docketed as 78. If the clerk hasn't already set  
20 up the usual seven-day response, that will be done and  
21 then we'll probably put you on for a hearing on the  
22 Wednesday that follows. That's probably May 16.

23          The only thing I would observe, and it's just a  
24 general observation, is that to the extent that the  
25 Court might need to see a timeline here, just as we did

1 with the plaintiffs' motion, that might be helpful, but  
2 let's wait and see how that one shakes out. Okay?

3 So let's turn our attention to what's on the agenda  
4 today. The underlying motion was plaintiffs' Motion to  
5 Compel docketed as 40. As you know, we had a hearing on  
6 April 20. We talked for almost an hour. At the end of  
7 the hearing, I gave some instruction about what else  
8 needed to happen. Everybody seems to like the adjective  
9 *percolating* because you keep repeating it back to me.  
10 So you talked about the percolating discovery disputes  
11 and disagreements. A lot more documents exchanged  
12 hands. I got the reports. Docketed by us as 73 is the  
13 defendants' timeline, followed by docket 74, the update,  
14 followed by the, I presume, tongue-in-cheek supplement  
15 docketed 77, indicating that two more pieces of paper  
16 from 1998 were produced from some employee's file who is  
17 quitting.

18 We've also got 76, which is the plaintiffs' report,  
19 and of course we have attachments to both updates. As  
20 is my practice, I'm going to give you my preliminary  
21 view of where I think we find ourselves and flag for you  
22 the questions that I'd like to see each side address as  
23 they see fit. Preliminarily I get the sense that most  
24 of the concerns either have been addressed or are not  
25 ready for the Court to rule on right now. Apparently

1 thousands of documents changed hands. Defendants spin  
2 on it is that the plaintiffs weren't ready to talk about  
3 them. It may be that plaintiffs are of the view that  
4 they don't have anything to complain about yet, but  
5 certainly they might complain later. That's fine. If  
6 there's nothing for the Court to decide in that regard,  
7 we're not going there. I'll take my cue from the  
8 plaintiffs' report that there are only two issues left.

9       The one issue that plaintiff flagged was that  
10 according to plaintiff, WCP and WKT have identified  
11 databases that include responsive financial and product  
12 information that has not been provided and defendant  
13 won't produce it without a court order. I don't know  
14 what that means. I'll need the defendants to explain  
15 that to me. If it's just a matter of the Court putting  
16 an order in so that you've got a Court requirement that  
17 you do it, fine. If it's something more substantive,  
18 I'd like to hear about that. But right now, I don't  
19 have enough information to say which way I'm headed on  
20 that.

21       With regard to the dispute over whether defendants  
22 stripped the functionality out of the nonsource code  
23 documents that accompanied the CoDeSys source code, if  
24 I'm pronouncing that correctly, from what I've read I  
25 don't think this is very important. It's certainly not

1 something that irritates or flags any problems for the  
2 Court. I would like a little bit more objective  
3 characterization of the number of documents at issue.

4 The defendant characterizes them as a small portion  
5 or a few documents. Defendant also reports that this is  
6 the way they got the documents from the actual provider,  
7 the third party, who is guarding them jealously and that  
8 the PDF format in which they've been provided that with  
9 complies with 34(b)(2)(E)(2) and (3). That certainly  
10 resonates with the Court. I'm not sure what else the  
11 plaintiff is asking me to do. I haven't heard any  
12 information that indicates that the defendants'  
13 characterization of why it did this and how it did it is  
14 wrong, but I'm prepared to be educated otherwise.

15 That said, why don't we start with the plaintiff.  
16 It's your motion. I'd certainly like to hear about the  
17 PDF documents, and to the extent that you want to be  
18 heard also on the first issue raised, I'll hear anything  
19 you've got for me today. So who's got the point today?

20 MR. BALBER: This is Scott Balber, Your Honor.  
21 Thank you for hearing us this morning, and I think you  
22 have this pretty much dead on. Let me kind of  
23 recharacterize, if I may. You are correct that a  
24 universe of documents has been produced by defendants  
25 since last we spoke. We are in the process of reviewing

1 that. As of this moment, you're right, we have no  
2 complaints. We reserve our right to complain if  
3 anything comes to light that we need to complain about.

4 My understanding from the defendants is that in the  
5 aftermath of our call with Your Honor, they have now  
6 agreed to produce and have in fact produced or are in  
7 the process of producing all documents responsive to our  
8 requests, and the issues that we were debating before  
9 Your Honor about the specific requests and what was  
10 captured have now been mooted by their agreement to  
11 produce. So assuming I'm right about that, I think that  
12 whole bucket of issues is resolved.

13 You have identified what I think are the two issues  
14 that remain. One is these financial and product  
15 databases. Candidly we don't understand what the issue  
16 is and why they're not being produced. If it simply is  
17 a matter of them needing an order from Your Honor, as  
18 you indicated that can be resolved. I'm curious to hear  
19 what the explanation is beyond that.

20 As to the searchable format, I think there are two  
21 categories. The first is a source code, and I agree,  
22 Your Honor, to the extent they receive the source code  
23 from a third party, we don't have any expectation that  
24 the defendant is going to be required to put that in  
25 searchable format. I think we're okay.

1           What we do have an issue with is their own emails.  
2   It is common practice and often the rule in -- lots of  
3   local rules in different jurisdictions that emails be  
4   produced in a searchable format. It's something which  
5   can be done by a vendor and in my experience it's  
6   typically done by a vendor being paid by or retained by  
7   the producing party.

8           THE COURT: Let me interrupt for a  
9   clarification question.

10          MR. BALBER: Sure.

11          THE COURT: When you say *the emails*, is this  
12   just a small subset of the emails related to this  
13   particular CoDeSys source code or is it something  
14   broader?

15          MR. BALBER: No, Your Honor, it's broader.  
16   It's all emails. Again, in my experience emails are  
17   produced in a searchable format, either by rule of court  
18   or by agreement of parties. I'm not understanding why  
19   there's an issue with it being produced in that way in  
20   this case.

21          THE COURT: And another point of information,  
22   please. Give me an order of magnitude on the number of  
23   documents that were produced in this fashion that you  
24   want put in searchable format.

25          MR. BALBER: We quite frankly don't know the



1 number, Your Honor.

2 THE COURT: Well, I'm just looking for a  
3 ballpark estimate. Are we talking a 1,000? 10,000?  
4 100,000?

5 MR. BALBER: Yeah. I mean the problem, Your  
6 Honor, is because they are produced as PDF, I can't give  
7 you a number. I would certainly suspect it's in the  
8 thousands. Whether it's 3,000 or 10,000, I don't know  
9 and I don't want to -- I certainly don't want to give  
10 you false information. But my team is kind of  
11 struggling to come up with a number.

12 THE COURT: Well, I'm just looking for an  
13 estimate. If you say around 3 to 10,000, that's  
14 sufficient and I'm not going to hold you to a specific  
15 number. All right, please continue.

16 MR. BALBER: Yeah. I'm told even my 3 to  
17 10,000 might be overstated, Judge. I just don't know,  
18 so I apologize about that. And I think that's it. That  
19 really is more perspective of the last issue: The two  
20 issues being these proprietary databases being searched  
21 and the second one is the searchability of emails.

22 THE COURT: All right.

23 MR. BALBER: I think that's what's left.

24 THE COURT: Well, thank you. Mr. Cook,  
25 Mr. Scheller, who'd like to give me your input?

1           MR. COOK: This is Bob Cook. Let me start with  
2 the databases. These -- first I would -- let's remember  
3 that the reason these come up is there are document  
4 requests for all documents used to create responses to  
5 interrogatories. And the term *document* is defined in  
6 the document request such that it brings in all  
7 electronic data compilations. The databases at issue  
8 here are the company's fundamental financial database  
9 that they use, their accounting database and their  
10 product database that they use for managing their  
11 company that has all product information. Most of their  
12 products have nothing to do with this case and aren't  
13 even in the industrial control area, and that's -- but  
14 they had to use the databases to put together responses  
15 to interrogatories.

16           THE COURT: Well, let me interrupt to make sure  
17 I understand what you're telling me. Would it be  
18 correct to surmise from what you just said that the  
19 relevant information from these databases already has  
20 been disclosed. What you haven't provided is the  
21 foundational database so that somebody could, if they  
22 chose to, cross reference the accuracy of your  
23 production.

24           MR. CROSS: Well, I guess that's one way to  
25 characterize it, but I think that that may even

1   overstate it. Because they ask for numbers and we gave  
2   them numbers and we have the numbers in the database.  
3   They asked then for the documents that the numbers came  
4   from and that would be, you know, the company's  
5   financial database that they're very sensitive about.

6           THE COURT: Well, let me hone in a little bit  
7   more tightly with my question then. Apart from the  
8   decision or not to or the reluctance to provide the  
9   databases whence the information was taken, is it your  
10   position that the substantive information responsive to  
11   the discovery requests all has been provided?

12           MR. COOK: Yes.

13           THE COURT: Okay. Thank you. Please continue.

14           MR. COOK: Sure. So that's really, on the  
15   database, that's it. On the text searchability, I would  
16   have to check. I do not believe that it's correct to  
17   state that all emails were provided in nonsearchable  
18   format. I'm aware of a handful of emails that were  
19   provided from Germany where the lawyer from Germany  
20   printed them out and PDF'd them. Other than that, we  
21   would have to check. But I don't think that it's  
22   correct that as a regular thing we provided  
23   nonsearchable documents. I think it's more a question  
24   of that just providing a searchable PDF may not be  
25   enough for what the plaintiffs want to do with their

1 vendor with the documents.

2 THE COURT: Well, let me ask you this, and I  
3 don't want you to speculate and perhaps you're not in a  
4 position to answer this question, but to the extent that  
5 there may be a larger group here, would there be any  
6 reason not to have provided emails in a searchable  
7 format just as a matter of routine? In other words, to  
8 the extent that there might be emails that are not  
9 searchable, is it defendants' position that that's how  
10 you got them? That there was no change and that it's a  
11 very small number?

12 MR. COOK: Well, I think so. And the reason I  
13 say that is because I asked when this issue first came  
14 up and it would have been more trouble to process them  
15 in a nonsearchable format than to just process them,  
16 review them, and then download the ones that were  
17 responsive.

18 THE COURT: Understood. And I interrupted you.  
19 Was there more you wanted to tell me?

20 MR. COOK: No. I would be surprised if there  
21 were thousands or even in the high hundreds of emails  
22 involved. I think it's a much smaller number.

23 THE COURT: Okay. Thank you. I'll entertain a  
24 brief reply and I'm particularly interested in any reply  
25 regarding the need to look at databases from which the

1 relevant information already has been provided.

2 MR. BALBER: Let me address that, Judge, if I  
3 may. What I don't want is a copy of the database. What  
4 I want is to have the databases searched, just like all  
5 other documents are being -- universe of documents are  
6 being searched for responsive documents. If it is the  
7 case that defendants relied on data or documents from  
8 the database in crafting their interrogatory responses,  
9 I believe I'm entitled to see the documents and the data  
10 from the database. I don't think I'm required to rely  
11 on defendant telling me that the numbers they are giving  
12 me in the interrogatory are accurate and are reflected  
13 in the company records.

14 So I guess I would frame the question a little  
15 differently which is why are these databases different  
16 than a file cabinet or an email log or something on  
17 somebody's desk? It's just another universe of  
18 documents of data that needs to be searched for  
19 responsive material. That's it.

20 THE COURT: Well, now you had me up until that  
21 last observation, so let me ask a clarifying question,  
22 please.

23 MR. BALBER: Then I'll withdraw it, Judge.

24 THE COURT: Then you lose. So let me ask the  
25 question because then maybe you'll win. I would agree

1 with you to the extent that you don't have to rely on a  
2 letter or an affidavit that simply says the number  
3 responsive to what you're asking is "X," and if we  
4 include additional information the number is "Y."  
5 You're entitled to look at the actual documents from  
6 which "X" and "Y" were derived. I thought from what I  
7 read and from what the parties had told me previously  
8 this morning that you really were looking for something  
9 beyond that; that you just wanted to be able to look in  
10 the actual database to make sure that you got it.

11 And to the extent you're analogizing that to  
12 getting to look in the whole file cabinet, no, you can't  
13 do that. But to the extent that you haven't actually  
14 seen the piece of data or the document from which they  
15 derived the answer they gave you, I would tend to agree  
16 with you.

17 Now here's -- so let's make sure we're not talking  
18 past each other. But then the actual question is is  
19 your team in a position to point to specific answers for  
20 which you want this documentation or are you simply  
21 saying we want to look at the databases and determine  
22 this for ourselves?

23 MR. BALBER: No, Judge. You have it right.  
24 And let me kind of rearticulate it if I can. I am not  
25 asking to look in their file cabinet. I am asking them

1 to look in their own file cabinet and produce to me the  
2 documents that they relied upon in crafting their  
3 interrogatory responses, one, or any other documents in  
4 the file cabinet, which I'm using as a code word for  
5 database, which is responsive to other requests. That's  
6 it.

7 So they have acknowledged that they have used  
8 information from the database in crafting their  
9 interrogatory responses --

10 THE COURT: Let me stop you -- let me stop.  
11 Mr. Cook, do you understand now what they're looking  
12 for? Is this objectionable? Is this something  
13 different from what you thought they were asking or is  
14 this something you don't like?

15 MR. COOK: This is, I think, where they're  
16 mischaracterizing or maybe misunderstood I think is a  
17 better term what I said about the interrogatories.  
18 There's no intermediate document, intermediary document  
19 between the database and the response. To provide these  
20 responses to their interrogatories, somebody queried the  
21 database and got this printout and that's what we  
22 provided.

23 THE COURT: Okay. I understand what you're  
24 saying. So let's go back to the plaintiffs. What more  
25 are you entitled to under Rule 26? Do you want to be

1 able to verify for yourself? Are you looking for the  
2 actual search performed? Or in light of what Mr. Cook  
3 just proffered, does that solve your problem?

4 MR. BALBER: It doesn't, Judge. I'm operating  
5 at a little bit of a disadvantage, and I don't think I  
6 misunderstand. So let me frame it again, and I  
7 apologize for repeating myself, but I'm really not  
8 understanding the issue. There is a universe of  
9 information on a database, okay? My view is that  
10 defendants must search that database for responsive  
11 documents to all of our requests and the fact that now I  
12 know for certain that one request as to which responsive  
13 documents may be derived from that database is the  
14 request "please produce all documents which you relied  
15 on in crafting your interrogatory responses." But there  
16 may be other requests. So that's it.

17 I don't want their database. I want the data, the  
18 information, the documents that are contained in those  
19 databases, and by the way, their own product databases  
20 and financial databases that are responsive to our  
21 requests generally.

22 THE COURT: Well, but see, this is where we've  
23 circled right back to where we were on April 20, because  
24 you want documents that Mr. Cook has just proffered  
25 don't exist. What he's saying is there is no set of



1 documents. Now I can't pick between these two  
2 contentions over the phone. The only thing I can  
3 require, and this puts the burden back on the plaintiff,  
4 is that you point to the specific discovery request you  
5 made where you think there are underlying documents that  
6 you did not get.

7 Now I haven't gone back and looked at all the  
8 discovery requests. There was no reason for that. I  
9 don't think this is one of those cases where there's an  
10 out of control number. But absent some specificity as  
11 to what you think you don't have, there's nothing for me  
12 to order Mr. Cook to do.

13 I would agree with you, and I agreed with you the  
14 first time you said it, that if there were a set of  
15 documents that were responsive to or the basis or  
16 foundation for the information you were requesting in  
17 your discovery request, you would be able to see it.  
18 But what Mr. Cook is saying is there aren't any; that it  
19 was a query made to a database and the answer popped up.  
20 If you don't think that answer is entirely correct or  
21 accurate, then you've got to be more specific to point  
22 out to Mr. Cook and his colleagues why that can't be  
23 true.

24 MR. BALBER: It's not my practice to make -- to  
25 ask a question to opposing counsel with a judge on the

1 line. It's certainly not my practice to ask a question  
2 to the judge.

3 THE COURT: I'll let you cross talk today.

4 MR. BALBER: I'm going to ask the question, and  
5 this may be put it to bed one way or the other. My  
6 question is this: Were those databases searched for  
7 documents responsive to our requests or not. If they  
8 were searched, just like email archives were searched,  
9 and the answer is "there are no responsive documents,"  
10 then we have nothing to say. But I haven't heard the  
11 answer that those databases were searched in the same  
12 way as a file cabinet or an email archive or anything  
13 else. So that's kind of my pointed question, Judge.

14 THE COURT: Okay. Well, I understand it.  
15 Mr. Cook, are you in a position to answer that?

16 MR. COOK: I think we have a definitional  
17 problem. I make a distinction between a database and a  
18 file server. File servers have documents and can be  
19 searched and were searched. Databases are different.  
20 They don't contain documents. They contain data, and  
21 structured data, and you search them to answer  
22 questions. That's what we're talking about here. And  
23 the way that the definition of *document* appears in these  
24 document requests, any compilation of data would be a  
25 document and it would include the financial database --

1 say the fundamental accounting database of a company  
2 would be a document, and that's what we don't think we  
3 should be required to produce, and I don't think that  
4 kind of thing is ever required to be produced.

5 THE COURT: Well, and let's be sure at least  
6 the Court understands what you're saying and I'm sure  
7 that the plaintiffs understand it too, but to the extent  
8 that you searched the databases, you searched for the  
9 responsive information. But of course using your  
10 distinction between a file server and a database, the  
11 search requests provided the answer and there's no  
12 intermediary set of information that could be  
13 characterized as a document.

14 MR. COOK: Correct. That's what we're saying.

15 THE COURT: Okay.

16 MR. BALBER: If I can draw an analogy, Your  
17 Honor, to a circumstance I'm more familiar with and I  
18 suspect the Court might be as well to maybe put this to  
19 bed one way or the other. A company has a general  
20 ledger as a database; information regarding the  
21 company's finances. The fact that it is a database  
22 doesn't mean that I can't search for entries reflecting  
23 payment to Company XYZ, and that would result in a  
24 report which the defendants would be required to  
25 produce. So if that's what we're talking about, I do

1 believe it is the case that searches can be run on a  
2 database, such as a general ledger, and documents  
3 generated which reflect the data that is responsive and  
4 contained therein.

5 MR. COOK: And where that was done, where  
6 interrogatories require that to be done it was done.

7 THE COURT: And that's certainly the way I  
8 understand the defendants' response. So bottom line is  
9 the Court is not going to order further production on  
10 that one. That request is denied.

11 So let's turn our attention to the PDF emails.  
12 Again, I hate to make this the death of a thousand cuts,  
13 but again, I'm not seeing anything for the Court to  
14 order here. It sounds like the people I'm talking to  
15 cannot provide me with concrete objective information  
16 about what's the actual problem here, you know. And  
17 again, I don't want to delve into minutia for no good  
18 reason, but if we're talking about 300 documents from  
19 Germany that weren't in the database and were just PDF'd  
20 and sent over in hard copy form, well, from the Court's  
21 perspective that's not a big problem.

22 If we're talking about 3,000 documents that were  
23 taken off of some electronic storage medium rather than  
24 provided in electronic form, well, then maybe we do have  
25 a problem. But I get the sense that it's the former,

1 not the latter, and I would never underestimate the cost  
2 of a hand search. But if all we've got here is a couple  
3 hundred documents that were produced in PDF form because  
4 that's the way they were kept, there's nothing for me to  
5 order. And certainly based upon the information I've  
6 got, I have no reason to believe otherwise today.

7 Now I will agree with the plaintiff that to the  
8 extent that there might have been a database that was  
9 searchable and the documents were taken out of that,  
10 that would not be appropriate and the Court would not  
11 countenance that. But there's no proof here that that's  
12 what actually happened, and I haven't heard anything  
13 today to convince me that that is what has happened.  
14 I've just got this sense that there's a suspicion that  
15 something nefarious must have happened because emails  
16 just aren't produced in PDF anymore. That's so old  
17 school that it must be something sinister.

18 I don't mean to mischaracterize this. I don't  
19 think that plaintiff is claiming that this was a  
20 malicious or intentional way to hide data, although you  
21 come pretty close to implying it, but I'm not seeing  
22 anything for me to order. That said, I'll give the  
23 plaintiff one more chance to persuade me that there's  
24 something I need to do today based on what you've told  
25 me. But absent that, you've got to go back and sort

1 this one out between the attorneys again, maybe putting  
2 a low-level associate on each side in a room with the  
3 box full of documents to do it one at a time.

4 So any sur-reply by the plaintiff at this point?

5 MR. BALBER: Yes, Your Honor. Just to be  
6 clear, I did not mean to suggest one bit that there was  
7 any maliciousness at all. That was not my intention. I  
8 don't believe that's the case. The problem is that we  
9 received 188,000 pages of documents, and because they're  
10 not searchable, to go through and count them and tell  
11 you how many there are would obviously be a difficult  
12 exercise. So what I would suggest is I've heard your  
13 ruling and I think that's reasonable, Judge. If it  
14 turns out the number ends up being materially higher  
15 than what we all think at the moment, I'd like the right  
16 to come back to you and let you know. But otherwise, I  
17 appreciate your time this morning.

18 THE COURT: Sure. And that is the Court's  
19 ruling, but let's add another qualifier there. It's not  
20 just the number of documents, but it's whether or not  
21 there really was some searchable database in electronic  
22 form from which they were taken. I'm hearing from the  
23 defendant that that's not at all what happened. But if  
24 that were the case and you could prove to me that that's  
25 the case, well then of course you're entitled to relief.

1 But I haven't gotten any evidence that that's actually  
2 what occurred here. So you're free to go back and look  
3 into that further and come back to court if that's what  
4 happened.

5 MR. BALBER: Thank you, Your Honor. We  
6 appreciate that.

7 THE COURT: All right. I think that covers it.  
8 So essentially what we've got is I will now deny what  
9 remains of the motion docketed by the Court as 40 as  
10 mostly academic, mostly mooted by what's happened  
11 between the filing of the motion and today, and then  
12 denying the residual disputes for reasons stated on the  
13 record today. And I'm not going to shift costs today.

14 One last observation on that point and then I'll  
15 check in with each side before I let you go. We try not  
16 to keep score here, but sometimes it's kind of like a  
17 football game where the guy who throws the second punch  
18 gets the flag. If we come back and it turns out that  
19 somebody didn't do what they were supposed to on this  
20 new Motion to Compel docketed as 78, then that might be  
21 a cost-shifting motion and it might also be a 37(b)  
22 motion. I don't think we'll get there from here, but  
23 we've already had one fairly lengthy set of discovery  
24 discussions and disputes and rulings. If we can narrow  
25 that down or eliminate it before you have to get on the

1 phone with me, that would be great. But I'm here to  
2 throw the flag if I need to, okay?

3 That's all I've got for you. Anything else on  
4 behalf of plaintiff?

5 MR. BALBER: No, Your Honor. Thank you for  
6 your time and have a nice weekend.

7 THE COURT: Thank you. You also. Anything  
8 else on behalf of the defendants today?

9 MR. COOK: No, Your Honor. Thank you for your  
10 time.

11 THE COURT: You're also welcome, and you guys  
12 have good weekends too. With that we're done. Thank  
13 you all.

14 (Proceedings concluded at 10:34 a.m.)

15 \* \* \* \* \*

16 I, LYNETTE SWENSON, Certified Realtime and Merit  
17 Reporter in and for the State of Wisconsin, certify that  
18 the foregoing is a true and accurate record of the  
19 proceedings held on the 4th day of May 2012 before the  
20 Honorable Stephen L. Crocker, Magistrate Judge for the  
Western District of Wisconsin, in my presence and  
reduced to writing in accordance with my stenographic  
notes made at said time and place.  
Dated this 12th day of July 2012.

21 /s/\_\_\_\_\_

22 Lynette Swenson, RMR, CRR, CBC  
23 Federal Court Reporter

24 The foregoing certification of this transcript does not  
25 apply to any reproduction of the same by any means  
unless under the direct control and/or direction of the  
certifying reporter.